

0006.90000
BFP/WSS/gjz
10/21/08

ORDINANCE NO. 3706

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, ADOPTING A NEW CHAPTER 5.60 ECC EMERGENCY MEDICAL SERVICE TRANSPORT CHARGES. TO RECOVER FROM USERS CERTAIN COSTS OF PROVIDING EMERGENCY MEDICAL SERVICES TRANSPORT, PROVIDING FOR SEVERABILITY AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, the City of Edmonds, through its Fire Department, provides emergency medical service (EMS) as authorized by the State of Washington; and

WHEREAS, pursuant to 35A.11.020 as an exercise of the power granted by RCW 35.27.370(15), the City Council of the City of Edmonds has discretion to charge fees to those receiving EMS transportation from the City's Fire Department; and

WHEREAS, the City does not currently charge EMS transportation fees to those receiving the same from the City's Fire Department even though the fees are generally covered by most medical insurance policies, including but not limited to Medicare and Medicaid; and

WHEREAS, funds derived from the City's voter approved EMS levy, even at its maximum rate, are insufficient to fully fund EMS; and

WHEREAS, as a result, EMS must be subsidized by funds from the City's General Fund; and

WHEREAS, the City Council finds that those benefiting from the City's EMS transportation should be charged a fee to reimburse the City, at least partially, for the cost of providing the same; and

WHEREAS, the City Council finds that fees charged for EMS transportation should vary depending on services received; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Adopted. A new Chapter 5.60 ECC, Emergency Medical Service Transport Charges is hereby adopted to read as follows:

Chapter 5.60

**EMERGENCY MEDICAL SERVICE
TRANSPORT CHARGES**

Sections:

- 5.60.010 EMS Transport Charges Imposed
- 5.60.020 Categories of EMS Transport Charge
- 5.60.030 Medicare and Medicaid
- 5.60.040 EMS Transport Fund
- 5.60.050 Policy and Financial Assistance

5.60.010 EMS Transport Charges Imposed.

A. All persons transported for emergency medical service (EMS) by the City's Fire Department emergency aid and paramedic units after December 31, 2008 shall be charged and billed by the City at rates set and adjusted as necessary by Resolution of the City Council. The Mayor or designee shall establish a procedure to bill and collect EMS transport charges. The City may contract with a billing service and/or collection agency to bill and collect the same.

B. A resident of the City, or a resident of a jurisdiction that contracts with the City for EMS, or an employee at, and transported from, a business within the City or a jurisdiction that contracts with the City for EMS, who supplies the City with information and documentation of his medical insurance policy necessary to bill his insurance provider for EMS transport charges, and who assigns his insurance benefits for the same to the City shall not be billed for that portion of the EMS transport charges that is in excess of amounts paid by his insurer(s).

C. A person who does not meet the criteria set forth above in subsection B, who supplies the City with information and documentation of his medical insurance policy necessary to bill his insurance provider for EMS transport charges, and who assigns his insurance benefits for the same to the City, shall be billed for that portion of the EMS transport charges that is in excess of amounts paid by his insurer(s).

D. A person, regardless of residence, who does not supply the City with information and documentation of his medical insurance policy necessary to bill his insurance provider for EMS transport charges because he is unable or unwilling, or because he does not have any type of insurance coverage that for such charges, or who fails to assign his insurance benefits for the same to the City, shall be billed for the entire EMS transport charges.

E. The EMS transport charges herein imposed shall not apply to persons transported by the City's Fire Department emergency aid and paramedic units from geographical boundaries of the cities of Lynnwood, Mountlake Terrace, Brier and Shoreline or the unincorporated areas of Snohomish County other than Esperance served by Fire District #1, unless specifically authorized by interlocal agreement.

F. The use of the term "insurance" or any variation thereof in this section shall include Medicare and Medicaid.

5.60.020 Categories of EMS Transport Charge.

EMS transport charges shall consist of one of the following, in addition to a charge for each mile, or fraction thereof, that the patient is transported: Basic Life Support, Advanced Life Support Level 1, or Advanced Life Support Level 2. Such additional charges shall be established by resolution [see 5.60.010(A)].

5.60.030 Medicare and Medicaid.

Charges for the EMS transport authorized by this Chapter shall be construed and implemented in a manner consistent with applicable Medicare and Medicaid requirements, when applicable. If any method or procedures authorized by this Chapter for the purpose of establishing, implementing, imposing or collection of charges for EMS transport is found to conflict with Medicare and or Medicaid requirements, the conflicting part of this Chapter shall be inoperative to the extent the same applies to Medicare and or

Medicaid. The operation of the remainder of this Chapter shall remain unaffected.

5.60.040 Policy and Financial Assistance.

A. It is City of Edmonds' policy that ability to pay is never a condition of service. All aspects of pre-hospital service shall be provided to all patients without discrimination toward those with no ability or inadequate means to pay.

B. The Mayor or designee shall establish a program consistent with criteria and rules set forth in WAC 246-453-001 through 246-453-060 to provide financial assistance and debt forgiveness to persons that do not have the ability to pay in full for EMS transport charges imposed in this Chapter.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:

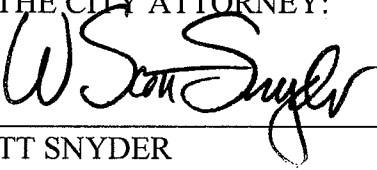

MAYOR GARY HAAKENSEN

ATTEST/AUTHENTICATED:


CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY



W. SCOTT SNYDER

FILED WITH THE CITY CLERK:	11/14/2008
PASSED BY THE CITY COUNCIL:	11/18/2008
PUBLISHED:	11/23/2008
EFFECTIVE DATE:	11/28/2008
ORDINANCE NO. <u>3706</u>	

SUMMARY OF ORDINANCE NO. 3706

of the City of Edmonds, Washington

On the 18th day of November, 2008, the City Council of the City of Edmonds, passed Ordinance No. 3706. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, ADOPTING A NEW CHAPTER 5.60 ECC EMERGENCY MEDICAL SERVICE TRANSPORT CHARGES, TO RECOVER FROM USERS CERTAIN COSTS OF PROVIDING EMERGENCY MEDICAL SERVICES TRANSPORT, PROVIDING FOR SEVERABILITY AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.

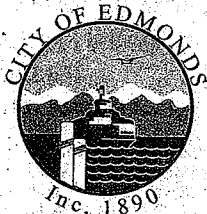
DATED this 19th day of November, 2008.


CITY CLERK, SANDRA S. CHASE

Affidavit of Publication

STATE OF WASHINGTON,
COUNTY OF SNOHOMISH

} S.S.



SUMMARY OF ORDINANCE NO. 3706 of the City of Edmonds, Washington

On the 18th day of November, 2008, the City Council of the City of Edmonds, passed Ordinance No. 3706. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, ADOPTING A NEW CHAPTER 5.60 ECC EMERGENCY MEDICAL SERVICE TRANSPORT CHARGES, TO RECOVER FROM USERS CERTAIN COSTS OF PROVIDING EMERGENCY MEDICAL SERVICES TRANSPORT, PROVIDING FOR SEVERABILITY AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.
DATED this 19th day of November, 2008.

CITY CLERK, SANDRA S. CHASE
Published: November 23, 2008.

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice

Summary of Ordinance No. 3706

Adopting a New Chapter 5.60 ECC re:

Emergency Medical Service Transport Charges

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

November 23, 2008

and that said newspaper was regularly distributed to its subscribers during all of said period.

Jody Ingh

Principal Clerk

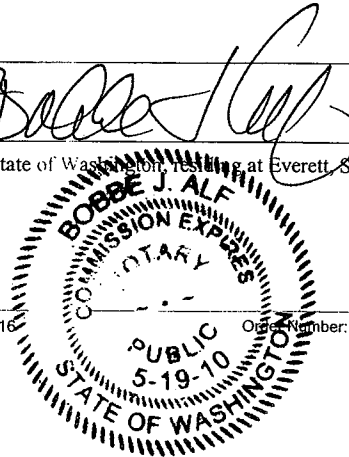
Subscribed and sworn to before me this

24th

day of

November, 2008

Notary Public in and for the State of Washington, residing at Everett, Snohomish County.



Account Name: City of Edmonds

Account Number: 101416

Original Number: 000162459

RECEIVED

DEC 08 2008

EDMONDS CITY CLERK